

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WENYING LI and XU CHEN,

No. CV-08-3540 MMC

Plaintiffs,

v.

JUDGMENT IN A CIVIL CASE

MICHAEL CHERTOFF , et al.,

Defendants.

() Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

(X) Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS SO ORDERED AND ADJUDGED

1. To the extent defendants' motion to dismiss or for summary judgment is based on lack of venue, the motion is hereby GRANTED and the complaint is DISMISSED without prejudice to plaintiffs' refiling it in a proper venue.

2. To the extent defendants' motion to dismiss or for summary judgment seeks a ruling on the merits of plaintiffs' claims, the motion is hereby DENIED without prejudice.

3. Plaintiffs' cross-motion for summary judgment is hereby DENIED without prejudice.

Dated: November 25, 2008

Richard W. Wieking, Clerk

Tracy Lucero

By: Tracy Lucero
Deputy Clerk